ólicant: Bradley Jade Dickey, Rodger Allen Jones,

# 12-19-01

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: HILB / 723C1

Chris Lowery, Darryl M. Maslar

PET CARE PRODUCTS AND METHOD OF PROVIDING PET CARE PRODUCTS, SERVICES AND INFORMATION

#### CERTIFICATE OF MAILING BY EXPRESS MAIL - 37 CFR 1.10

'Express Mail' mailing label number: <u>EL887451232US</u>

Date of Deposit: December 7, 2001

I certify that this paper or fee (along with the enclosures noted herein) is being deposited with the United States Postal Service 'Express Mail Post Office to Addressee' service under 37 CFR 1.10 on the above date and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Ryan Cummins (person mailing paper)

## **UTILITY PATENT APPLICATION TRANSMITTAL**

**BOX PATENT APPLICATION** Assistant Commissioner for Patents Washington, D.C. 20231

This is a request for filing, under 37 CFR § 1.53(b), a(n):

- ☐ Original (non-provisional) application.
- □ Divisional of prior application Serial No. \_\_, filed on \_\_.
- ☑ Continuation of prior application Serial No. <u>60/254,123</u>, filed on <u>December 8, 2000</u>.
- □ Continuation-in-part of prior application Serial No. <u>09/909,921</u>, filed on <u>July 20, 2001</u> which is a continuation-in-part of prior application Serial No. 60/219,675, filed on July 21, 2000.

For Divisional and Continuation applications ONLY:

- □ Copy of Executed Declaration, Power of Attorney and Petition Form from parent application is enclosed (as noted below in Enclosures).
- ☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

For all Divisional, Continuation and Continuation-in-part applications:

- □ Small Entity Status was requested in the prior application, and small entity status is still proper and
- ☐ This application is assigned to \_\_ by virtue of an earlier assignment filed in the prior application at Reel \_\_\_, Frame \_\_\_.

#### PRELIMINARY AMENDMENT/CALCULATION OF FEES

□ Please cancel claims \_\_ without prejudice, and prior to calculating the fees. \_\_ total claim(s), of which \_\_ is(are) independent, is(are) pending after the amendment.

Please enter the enclosed preliminary amendment identified below prior to calculating the fees.
total claim(s), of which is(are) independent, is(are) pending after the amendment.

☐ Small Entity Status is Requested

#### **☒** The Fees are Calculated as Follows:

Fee	Number of Claims:	In Excess of.	Extra:	At Rate.	Amount
Total Claims	32	20	12	\$18	\$216 00
Independent Claims	5	3	2	\$84	\$168.00
MULTIPLE DEPENDENT CLAIM FEE					
BASIC FEE	\$740.00				
TOTAL OF ABOVE CALCULATIONS					
REDUCTION BY 50% FOR FILING BY SMALL ENTITY					
TOTAL					\$1,124.00

#### **ENCLOSURES**

- ☑ Utility Patent Application Transmittal Form (in duplicate) containing Certificate of Mailing By Express Mail Under 37 CFR 1.10.
- ☑ Return Postcard.

#### <u>APPLICATION PAPERS</u>

- ☑ Utility Patent Application, with: cover sheet, <u>26</u> page(s) specification (including <u>32</u> total claim(s), of which <u>5</u> is(are) independent), and <u>1</u> page(s) abstract.
- ☐ Drawings: 46 sheet(s) of formal drawings (46 total figure(s)).
- ☐ Microfiche Computer Program (Appendix).

☐ A Check of \_\_ for the assignment recording fee.

- □ Nucleotide and/or Amino Acid Sequence, including (all are necessary): Computer Readable Copy, Paper Copy (identical to computer copy), and Statement verifying identity of copies.
- ☑ An <u>Unsigned</u> Declaration, Power of Attorney and Petition Form.
- □ Copy of Executed Declaration, Power of Attorney and Petition Form from prior application identified above.
- ☐ Certified Copy of priority document(s) identified as attached above.

#### ADDITIONAL PAPERS

AD	DITIONAL PAPERS				
	Assignment to, Recordation Cover Sheet (Form PTO-1595)				
	Preliminary Amendment (to be entered prior to calculation of fees)				
	Information Disclosure Statement, sheet(s) Form PTO-1449, U.S. Patent Reference(s), Foreign Patent Reference(s) and Other Reference(s)				
	Other:				
<u>CH</u>	YECKS				
	A Check of for the filing fee.				

### **DEPOSIT ACCOUNT AUTHORIZATION**

- Please charge Deposit Account No. 23-3000 in the amount of \$1,124.00.
- ☐ The Commissioner is authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 23-3000. A duplicate of this transmittal is attached.
- □ THE PAYMENT OF FEES IS BEING DEFERRED.

WOOD, HERRON & EVANS, L.L.P. 2700 Carew Tower Cincinnati, Ohio 45202 (513) 241-2324

WLJ/mad

Respectfully Submitted,

Wayne L. Jacobs Reg. No. 35,553